

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**PORTABLE TELEPHONE RADIO SET WITH INTERFERENCE DETECTION FUNCTION**  
the specification of which:

(check  
one)

☒ is attached hereto

☐ was filed on \_\_\_\_\_, as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56\*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>11-319285</u>	<u>Japan</u>	<u>10/11/1999</u>	priority claimed <u>X</u>
(Number)	(Country)	(Day/Month/Year Filed)	yes no
_____	_____	_____	yes no
(Number)	(Country)	(Day/Month/Year Filed)	yes no
_____	_____	_____	yes no
(Number)	(Country)	(Day/Month/Year Filed)	yes no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status: patented, pending, abandoned)

Power of Attorney: As a named inventor, I hereby appoint C. Lamont Whitham, Reg. No. 22,424, Marshall M. Curtis, Reg. No. 33,138, and Michael E. Whitham, Reg. No. 32,635, Reg. 34,386 as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to Whitham, Curtis & Whitham, Reston International Center, 11800 Sunrise Valley Dr., Suite 900, Reston, Virginia 20191. Telephone calls should be directed to Whitham, Curtis & Whitham at (703) 391-2510.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole  
or First Inventor Ikuo SAKAGUCHI

Inventor's Signature *Ikuo Sakaguchi* Date October 31, 2000

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Second

Joint Inventor, If Any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full Name of Third

Joint Inventor, If Any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full Name of Fourth

Joint Inventor, If Any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full Name of Fifth

Joint Inventor, If Any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

\*Title 37, Code of Federal Regulations, § 1.56:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.



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Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FEBRUARY 15, 2001

PTAS



\*101546468A\*

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MCLEAN, VA 22102

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/09/2000

REEL/FRAME: 011316/0051  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SAKAGUCHI, IKUO

DOC DATE: 10/31/2000

ASSIGNEE:

NEC CORPORATION  
7-1, SHIBA 5-CHOME, MINATO-KU  
TOKYO, JAPAN

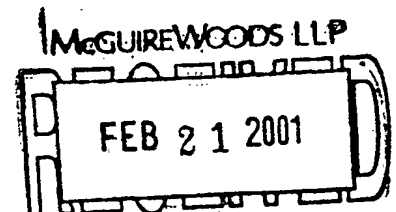
SERIAL NUMBER: 09708516

FILING DATE: 11/09/2000

PATENT NUMBER:

ISSUE DATE:

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



12-12-2000

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Docket No.: ND-363US  
ed original documents or copy thereof.

To the Honorable Commissioner of Pat



101546468

10921 U.S. PTO  
09/708516

11/09/00

1. Name of conveying party(ies):

Ikuo Sakaguchi

Additional names of conveying party(ies) attached?

☐ yes ☒ no

3. Nature of Conveyance

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: October 31, 2000

2. Name and address of receiving party(ies):

Name: NEC CORPORATION  
Internal Address:

Street Address: 7-1, Shiba 5-chome, Minato-ku,  
City: Tokyo  
Country: JAPAN

Additional name(s) & address(es) attached? ☐ yes ☒ no

4. Application number(s) or patent number(s):

Title: PORTABLE TELEPHONE RADIO SET WITH INTERFERENCE DETECTION FUNCTION

If this document is being filed together with a new application, the execution date of the application is October 31, 2000

A. Patent Application No(s).

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

C. Lamont Whitham, Esq.  
McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102  
(703)712-5000

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00  
☒ Enclosed

☒ Authorized to be charged to deposit account  
☐ Total fee due  
☒ Any deficiencies in the enclosed fees

8. Deposit account number:  
23-1951

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

C. Lamont Whitham  
Name of Person Signing

Signature

November 8, 2000  
Date

Total number of pages including cover sheet: 3

PATENT OR DESIGN: SOLE OR JOINT

(U.S. and Foreign Rights)

ASSIGNMENT FOR UNFILED APPLICATION FOR UNITED STATES  
PATENT

(Sole or Joint Inventors)

FULL NAME(S) AND  
POST OFFICE ADDRESS(S)  
OF INVENTOR(S) (including  
country)

WHEREAS: Ikuo SAKAGUCHI  
c/o NEC Corporation,  
7-1, Shiba 5-chome, Minato-ku,  
Tokyo, Japan

TITLE OF  
INVENTION

(hereinafter referred to as ASSIGNOR), have invented and  
own a certain invention entitled:

PORTABLE TELEPHONE RADIO SET WITH  
INTERFERENCE DETECTION FUNCTION

for which application for Letters Patent of the United States  
has been executed on even date herewith,

FULL NAME AND  
ADDRESS (including country)  
OF ASSIGNEE

WHEREAS: NEC Corporation  
7-1, Shiba 5-chome, Minato-ku,  
Tokyo, Japan

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:  
Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or

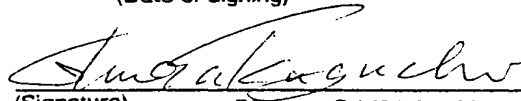
any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this 31st day of October, 2000

(Date of Signing)

  
(Signature) Ikuo SAKAGUCHI

(Signature)

(Signature)

**Warning**  
**DATE OF SIGNING:**  
This must be the same as the date of signing of the declaration and power of the patent or design application.

**SIGNATURE(S)**  
The signature(s) must correspond with the name(s) of the inventor(s) above.

Witness:





Instruction  
sheet for  
assignment  
Signing

All information, names of inventor(s) and assignee, title of invention and particulars of application should be completed.

No witnessing or legalization is necessary. However, if this assignment is legalized then it will only be prime facie evidence of the execution of the assignment.